

JAMES C. BROOKS (STATE BAR NO. 129680)  
ORRICK, HERRINGTON & SUTCLIFFE LLP  
777 South Figueroa Street, Suite 3200  
Los Angeles, CA 90017  
Telephone: 213-629-2020  
Facsimile: 213-612-2499  
Email: jbrooks@orrick.com

Attorneys for Plaintiff

DAVID C. HANSON  
KENT E. BALDAUF, JR.  
THE WEBB LAW FIRM  
700 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219-1818  
Telephone: 412-471-8815  
Facsimile: 412-471-4094

BUB-JOO S. LEE (STATE BAR NO. 159002)  
JAY JAE CHUNG (STATE BAR NO. 181003)  
LEE ANAV CHUNG LLP  
555 West Fifth Street, 30<sup>th</sup> Fl.  
Los Angeles, CA 90013  
Telephone: 213-341-1602  
Facsimile: 213-596-0260

Attorneys for Defendant

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION

NCR CORPORATION, a Maryland  
corporation,

Plaintiff,

v.

NEWEGG INC., a Delaware corporation,  
Defendant.

Case No. CV 06-08038 ER(PLAx)

**STIPULATION FOR  
DISMISSAL WITH  
PREJUDICE**

**[PROPOSED] ORDER FILED  
CONCURRENTLY HERewith**

**STIPULATION**

IT IS HEREBY STIPULATED, by and between Plaintiff NCR Corporation (“NCR”) and Defendant Newegg Inc. (“Newegg”), through their respective counsel of record, that:

1. NCR filed its Complaint in this action on December 18, 2006, asserting claims against Newegg;

2. Newegg filed an Answer and Counterclaims on April 9, 2007;

3. Because the parties reached a settlement in this action on or about September 29, 2007, NCR hereby dismisses its claims against Newegg with prejudice and Newegg hereby dismisses its counterclaims against NCR with prejudice pursuant to Fed. R. Civ. P. 41(a)(1); and

1           4.     Each party will bear its own legal expenses, including without  
2 limitation attorneys' fees and costs.

3  
4  
5 Dated: 11/20/07

James C. Brooks  
ORRICK, HERRINGTON & SUTCLIFFE LLP

6  
7  
8                                 /s/  
\_\_\_\_\_  
James C. Brooks  
Attorneys for Plaintiff  
NCR CORPORATION

9  
10 Dated: 11/20/07

11 David C. Hanson  
Kent E. Baldauf, Jr.  
THE WEBB LAW FIRM

12  
13 Bub-Joo S. Lee  
Jay Jae Chung  
LEE ANAV CHUNG LLP

14  
15  
16                                 /s/  
\_\_\_\_\_  
Kent E. Baldauf, Jr.  
Attorneys for Defendant  
NEWEGG INC.